

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 4, 6 and 7 are presently active in this application, Claims 4, 6 and 7 having been amended, Claim 18 having been added and Claims 1-3 and 8-17 having previously been withdrawn from consideration.

In the outstanding Office Action, Claims 4, 6 and 7 were rejected under 35 U.S.C. § 112, first paragraph, and Claims 4, 6 and 7 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,335,985 to Sambonsugi.

Regarding the rejection of claims under 35 U.S.C. § 112, first paragraph, Claim 4 is amended to more clearly recite the claimed features. In particular, amended Claim 4 is directed to a method for extracting an object from a frame having an object and a background including, *inter alia*, “setting, as a provisional region of an extraction object, one of the candidate regions which exhibits a largest difference between pixel values of the object of the frame and pixel values of the background of the same frame to generate initial shape data representing the provisional region.” In other words, a candidate region exhibiting a largest difference between the pixel values of the object region of a frame and the pixel values of the background region of the same frame is set as a provisional region. Alternatively, the difference may be calculated from an average of pixel values, as in new Claim 18. A contour of initial shape data representing the provisional region is matched to a contour of the object using current image data and the initial shape data. The claimed features are supported by the originally filed specification, at least at page 44, line 14, to page 45, line 25.

Accordingly, Applicants respectfully request the rejection of claims under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claims 4, 6 and 7 were rejected under 35 U.S.C. § 102(e) as anticipated by Sambonsugi. Applicants respectfully traverse that rejection.

As discussed above, in the invention of Claim 4, a candidate region exhibiting a largest difference between the pixel values of the object region of a frame and the pixel values of the background of the same frame is set as a provisional region. Further, Applicants respectfully submit that Sambonsugi does not teach or suggest an object extracting method that includes calculating a difference between an object region and a background which are in the same frame, and respectfully traverses the assertion in the outstanding Office Action that Sambonsugi discloses that feature.¹ Conversely, Sambonsugi discloses that the interframe difference between the current frame and the first reference frame is calculated to obtain a first difference image, and the interframe difference between the current frame and the second reference frame is calculated to obtain a second difference image.² In other words, a difference between two frames is calculated in Sambonsugi. In contrast, in the invention of Claim 4, a difference between an object region and a background region which are in the same frame is obtained. Accordingly, it is respectfully submitted that Sambonsugi does not teach or suggest “setting, as a provisional region of an extraction object, one of the candidate regions which exhibits a largest difference between pixel values of the object of the frame and pixel values of the background of the same frame to generate initial shape data representing the provisional region,” as recited in Claim 4.

Hence, Applicants respectfully submit that independent Claim 4 and claims depending therefrom are allowable.

¹ Office Action at page 4, pre-numbered paragraph 7, lines 6-9.

² Sambonsugi at column 13, lines 5-10

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)

EHK:ZSS:dnf

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